

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

Jeffrey Whitney,

Plaintiff,

v.

York County Council on Alcohol and Drug
Abuse, Inc. d/b/a Keystone Substance Abuse
Services,

Defendant.

C.A. No. 0:22-cv-01958-SAL

NOTICE OF REMOVAL

TO: THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF SOUTH CAROLINA

Pursuant to 28 U.S.C. § 1441(a) and (b), Defendant files this Notice of Removal to
remove this action from the Court of Common Pleas for York County, South Carolina, to the
United States District Court for the District of South Carolina, and state:

1. This action was commenced in the Court of Common Pleas for York County,
South Carolina, on May 18, 2022, by filing of the Summons and Complaint. The Summons and
Complaint, copies of which are attached, were thereafter served on Defendant on May 23, 2022.

2. The action referred to in paragraph 1 is a civil action over which this court has
original and removal jurisdiction under 28 U.S.C. §§ 1331, 1343 and 1441(a) and (b). In
particular, the court has jurisdiction under 28 U.S.C. §§ 1331, 1343, and 1441(a) and (b) in that it
appears upon the face of the Complaint that this action arises under the Constitution and laws of
the United States, specifically, Fair Labor Standards Act § 29 U.S.C. 201 *et seq.*

3. This Notice of Removal is filed within thirty (30) days after service of the
Summons and Complaint upon Defendant and is therefore timely under 28 U.S.C. § 1446(b).

4. Copies of all pleadings and papers served on Defendant to date are attached and filed with this Notice of Removal.

5. Written notice of the filing of this Notice of Removal will be promptly served on Plaintiff.

6. A true and correct copy of this Notice of Removal will be filed with the Clerk of Court for the Court of Common Pleas for York County, South Carolina, as provided under 28 U.S.C. § 1446(d).

WHEREFORE, Defendant removes this action to this Court's jurisdiction.

Respectfully submitted,

s/ R. Hayne Hodges

R. Hayne Hodges, III (FID # 9663)

Christopher W. Johnson (FID # 7581)

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ATTORNEYS FOR DEFENDANT

June 21, 2022

Columbia, South Carolina